

**SPECIAL EDUCATION PROGRAMS (Part B – IDEA)
ANNUAL REQUEST
FOR
IDEA-B FLOWTHROUGH FUNDS**

**School Year 2008-2009
State Fiscal Year 2009**

DISTRICT/COOPERATIVE : _____

Please check prior to submission:

- 1) signatures are in place;**
- 2) all items are addressed or marked NA where non-applicable;**
- 3) budget pages are added correctly.**

Thank you.

SECTION ONE-GENERAL INFORMATION

The following information must be completed by each district. If this is a consolidated request, each individual district must complete pages 1 and 2.

1. Enter the official district name. i.e. Madison School District

School District Name: _____

2. Enter the school district number. i.e. 39-2

School District Code Number: _____

3. Enter the date this request is being prepared for submission.

Date of Request: _____

4. Enter the beginning date of this year's project (could reflect the beginning date of the current fiscal year or current school year).

Beginning Date of Project: _____

5. Enter the ending of this project. (This could reflect the end of the current fiscal year or the end of the current school year).

Ending Date of Project: _____

6. Funding Requested: For Part B = \$_____ For 619 = \$_____

7. Enter the name and phone number of the person who is directly responsible for the management of this project.

Project Director: _____ Contact phone number: _____

Email: _____

8. Type of Project:(Check one line only)

☐ New Project ☐ Consolidated Project ☐ Amended Project

Ex: New project will be checked if a single district is making it's annual request.

Ex: Consolidated project will be checked if this request is being submitted jointly by two or more districts. Cooperatives making request for their participating districts would check consolidated project.

Ex: Amended project will be checked only if a change is made following the submission and approval of the initial annual request. (i.e. change in project director, change in the scope or the objectives of the project, changes in the budget of 10 percent in any object class category). Fill in only the request items affected and attach an explanation of the changes.

9. In general- Maintenance of Effort Information:

	A. ACTUAL FY 2007	B. BUDGETED FY 2009
(1) Total Special Education Expenditures (all 3- 21 sources):	\$	\$
(2) Total Special Education FEDERAL revenue:	\$	\$
(3) Maintenance of Effort: (Line 1 minus Line 2)	\$	\$

*Actual FY07 numbers can be found on attachment A.

An LEA must ensure that the amount of local funds it budgets for the education of children with disabilities in that year (FY2009) is at least the same as the amount it spent for that purpose in the most recent fiscal year for which information is available (FY 2007).

IF Line B (3) is less than Line A (3), please complete the following:

A LEA may reduce the level of expenditures by the LEA under Part B of the Act below the level of those expenditures for the preceding fiscal year if the reduction is attributable to the following. Please check the one(s) that apply to your school district.

- _____ a. The voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel.
- _____ b. A decrease in the enrollment of children with disabilities.
- _____ c. The termination of the obligation of the agency, consistent with this part, to provide a program of special education to a particular child with a disability that is an exceptionally costly program, as determined by the SEA, because the child-- (1) has left the jurisdiction of the agency; (2) has reached the age at which the obligation of the agency to provide FAPE to the child has terminated; or (3) no longer needs the program of special education.
- _____ d. The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities.

10. Notwithstanding the Maintenance of Effort requirement above, if the LEA shows an increase in Federal Part B funds in FY2009 the LEA may reduce its level of expenditures from local funds by not more than 50% of the excess if the funds are used to carry out activities authorized under Elementary and Secondary Education Act (ESEA) of 1965.

Please Note: An LEA that chooses to adjust their local fiscal effort due to their increase in Federal Part B funds may not apply for the State's Extraordinary Cost Fund.

An LEA that is unable to establish and maintain programs of FAPE will be prohibited from reducing their level of local expenditures.

Does the LEA choose to use to use a portion of their increase to reduce their local funding effort?

No _____ If No go to 11

Yes _____ If Yes complete table below.

Adjustment to Local Fiscal Effort

- (1) Total Special Education Part B funds – FY 2009 \$ _____
- (2) Total Special Education Part B funds – FY 2009 \$ _____
- (3) Total Special Education Part B funds – FY 2008 \$ _____
- (4) Amount of Excess (Line 1 minus Line 2) \$ _____

*Total Special Education Part B funds for FY09 & FY08 can be found on attachment B.

If Line 3 shows an increase in Federal Part B funds available for special education in FY 2009, a district/cooperative may reduce the level of expenditures for the education of children with disabilities made by a district/cooperative from local funds below the level of FY 2008 special education expenditures by not more than 50% of the excess from Line 3.

(5) Up to 50% of excess (Line 3) \$ _____

*50% of excess can be found on attachment B.

If a district/cooperative also elects to use “early intervening services,” the amount of funds expended will count toward the maximum amount of expenditures a district/cooperative may reduce from local funds identified on Line 4.

11. Early Intervening Services

A district/cooperative may choose to use not more than 15% of the amount received under Part B for FY 2009, less any amount, if any, reduced under Line 4 above, in combination with other amounts (which may include amounts other than education funds), to develop and implement coordinated, early intervening services, which may include interagency financing structures, for students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade 3) who have **not** been identified as needing special education or related services but who need additional academic and behavioral support to succeed in a general education environment.

Please Note: Districts electing to use up to 15% of Part B funding for Early Intervening Services (EIS) *may not be eligible for the State’s Extraordinary Cost Fund.* Eligibility would be determined on extenuating circumstances and determined on a case by case basis. An example: A child with extraordinary needs moves into the district in the middle of the year.

Does the LEA choose to use a portion of their allocation (Up to 15%) for Early Intervening Services?

No _____ If No go to 12

Yes _____ If Yes continue below

In implementing coordinated, early intervening services, a district/cooperative may carry out activities that include:

(A) professional development (which may be provided by entities other than districts) for teachers and other school staff to enable such personnel to deliver scientifically based academic instruction and behavioral interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software; and

(B) providing educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction.

Types of services acceptable for Early Intervening Services:

_____ Professional development related to behavioral interventions.

_____ Professional development related to literacy instruction.

_____ Professional development related to math instruction.

_____ Professional development related to response to intervention.

_____ Professional development related to the use of adaptive and instructional software.

_____ Providing educational evaluations.

_____ Providing behavioral evaluations.

_____ Providing services and supports related to behavior.

_____ Providing services and supports related to literacy instruction.

_____ Providing services and supports related to math instruction.

_____ Providing services and supports related to response to intervention.

_____ Purchasing curriculum or materials for literacy instruction.

_____ Purchasing curriculum or materials for math instruction.

_____ Other. Please describe. _____

_____ Unknown

Each district/cooperative that develops and maintains coordinated, early intervening services under this option shall annually report to the Office of Educational Services and Support on

(A) the number of students served under this option; and

(B) the number of students served under this option who subsequently receive special education and related services during the preceding 2-year period.

Funds made available to carry out this option may be used to carry out coordinated, early intervening services aligned with activities funded by, and carried out under, the ESEA of 1965 if such funds are used to supplement, and not supplant, funds made available under the ESEA of 1965 for the activities and services assisted under this option

- | | |
|---|----------|
| (1) Total Special Education Part B Funds - FY 2009 | \$ _____ |
| (2) Up to 15% of Total Special Education Part B Funds – FY 2009 | \$ _____ |
| (3) Less any amount, if any, of up to 50% of excess (Line 4 from above) | \$ _____ |
| (4) Total Amount Available for Early Intervening Services – FY 2009 (Line 2 minus Line 3) | \$ _____ |

Note: Complete Early Intervening Services (EIS) budget sheet on pages 23-24.

12. GEPA-General Education Provisions Act:

Describe the steps your organization will take to ensure equitable access to, and participation in, your federally assisted programs for students, teachers, and other program beneficiaries with special needs. See Attachment C for information.

13. **Certification Statement:**

The requester certifies that, to the best of their knowledge, the information provided in this request is accurate, and that the district or cooperative will comply with the provisions of Article 24:05 of the Administrative Rules of South Dakota and Individuals with Disabilities Education Act, as amended in 2006, which includes the general assurance statements provided for in this request.

Signature of authorized district/agency representative and date of signature.

Signature of Superintendent/CEO

Date

CONSOLIDATED REQUEST

Instructions: Complete this page only if this is a consolidated request. Each participating district superintendent/CEO is to sign and date this page.

[illegible]

SECTION TWO-ASSURANCE STATEMENTS

By signing these assurances, the authorized representative certifies that the information in the request is accurate and assures the Secretary of Education that the school district or cooperative is in compliance with all federal and state regulations, including the following:

1. For the purpose of implementing provisions of the **Individuals With Disabilities Education Act Amendments of 2004 (PL 108-446)**, which amend the Individuals With Disabilities Act (the Act), the district/agency assures that throughout the period of the project, it will comply with all of the requirements of Part A (General Provisions) and Part B (Assistance for Education of all Children with Disabilities) of the IDEA, as amended by the IDEA Amendments of 2004, including (1) All of the policies and procedures that were approved as part of the district/agency's most recent comprehensive plan for special education that are not inconsistent with the IDEA as amended by the IDEA Amendments of 2004, (2) All of the eligibility requirements of Section 612 (state eligibility) and Section 613 (LEA eligibility) as amended in 2004; and (3) comply with 34 CFR Part 300, published August 14, 2006 that are consistent with the IDEA 2004.
2. **Use of Amounts** – The LEA must have on file with the SEA information to demonstrate that amounts provided to the LEA under Part B of the Act- (a) will be expended in accordance with the applicable provisions of this part;(b) will be used only to pay the excess costs of providing special education and related services to children with disabilities, consistent with §§300.202(a)(2) and (3), 300.202(b)(2) will be used to supplement State, local and other Federal funds and not to supplant those funds.
3. The applicant assures that fund accounting, auditing, and monitoring and such evaluation procedures as may be necessary to keep such records as the South Dakota Department Of Education shall prescribe will be provided to assure fiscal control, proper management, and efficient disbursement of funds received through the South Dakota Department Of Education.
4. A clear audit trail must be maintained for each source of funding. Receipts, expenditures and disbursements must be separately accounted for from each source of funds.
5. If your non-profit organization receives more **\$500,000 or more in federal financial assistance**, the State of South Dakota requires that an annual audit be conducted in accordance with OMB Circular A-133. Audits shall be completed and filed with the Department of Legislative Audit within the earlier of 30 days after the receipt of the auditor's report(s), or nine months after end of the audit period.*

*Audits must be conducted by an auditor that is approved by the Auditor General of the State of South Dakota. Auditor approval must be obtained annually and can be requested by forwarding a copy of the audit engagement letter to the Department of Legislative Audit. The Department of Legislative Audit will notify each auditor of approval or disapproval. For information concerning audits contact: Department of Legislative Audit, A-133 Coordinator, 427 S. Chapelle, c/o 500 E. Capitol, Pierre, SD 57501.

6. School District / Public Agency NIMAC assurance:

_____ The school district or public agency **WILL PARTICIPATE** through the South Dakota Department of Education with the National Instructional Materials Access Center (NIMAC) to ensure that instructional materials will be provided to students who are blind, have low vision or an eligible print disability, in a timely manner.

OR

_____ The school district or public agency **WILL NOT PARTICIPATE** through the South Dakota Department of Education with the National Instructional Materials Access Center (NIMAC) to ensure that instructional materials will be provided to students who are blind, have low vision or an eligible print disabilities, as outlined in the Individuals with Disabilities Education Improvement Act of 2004.

More information on the National Instructional Materials Accessibility Standard (NIMAS) and NIMAC can be found at: <http://nimas.cast.org/>

The applicant agrees to hold harmless and indemnify the state of South Dakota, its officers, agents and employees, from and against any and all actions, suits, damages, liability or other proceeding which may arise as the result of performing services hereunder. This section does not require the applicant to be responsible for or defend against claims or damages arising solely from acts or omissions of the State, its officers or employees.

Pro-Children Act of 1994 requires that smoking not be permitted in any indoor facility used routinely or regularly for the provision of “children’s services” to persons under age 18, if the services are funded by specified federal programs either directly or through state or local governments. Local educational agencies must adopt the provisions of this act.

Gun Free Schools Act requires that local educational agencies adopt a Gun Free Policy, which is in compliance with SDCL 13-32-4.

LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110--

A. The applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an

explanation to this application.

DRUG-FREE WORKPLACE

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610 -

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants Policy and Oversight Staff, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e)

assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead- based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, □Audits of States, Local Governments, and Non-Profit Organizations.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

ASSURANCES AND CERTIFICATION STATEMENT: The applicant assures the South Dakota Department of Education that these projects will be administered in compliance with the assurances contained in this application, with state and federal laws and regulations applicable to the use of these funds, and that the information contained in this application is accurate and complete.

Name of Authorized Representative (Type
or Print)

Original Signature of Authorized
Representative

Date

SECTION THREE- CHILDREN ENROLLED IN PRIVATE SCHOOLS BY THEIR PARENTS

Participation of Eligible Private School Children Voluntarily Enrolled in Private Schools (IDEA-2004 Part B - Sec. 300.130 – 300.144).

- a. Are there private schools that meet the definition of elementary school (34 CFR 300.13) or secondary school (34 CFR 300.36) located in the district's legal jurisdiction?

YES _____

NO _____ (if no, district does not complete the rest of this section)

If YES, please review the following Office of Special Education website for specific and statute information concerning "private schools" in your district:

<http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CTopicalArea%2C5%2C>

- b. **Describe in each section** the extent to which the district consulted with representatives of private schools and representatives of parents of parentally-placed private school children with disabilities regarding:

b.1. The child find process

1a. How parentally-placed private school children suspected of having a disability can participate equitably?

1b. How parents, teachers, and private school officials will be informed of the process?

b.2. The determination of the proportionate amount of Federal funds available to serve parentally-placed private school children with disabilities including the determination of how the amount was calculated (Explain how the proportionate share is calculated.)

b.3. The consultation process among the LEA, private school officials and representatives of parents of parentally-placed private school children with disabilities, including how the process will operate throughout the school year to ensure that parentally-placed private school children with disabilities identified through the child find process can meaningfully participate in special education and related services:

b.4. How, where, and by whom special education and related services will be provided for parentally-placed private school children with disabilities, including a discussion of types of services, including direct services and alternate service delivery mechanisms; how such services will be apportioned if funds are insufficient to serve all children; and how and when those decisions will be made; and

4a. Describe how the district consulted with representatives of private school children to decide which children will receive services, what services will be provided, and where the services are to be provided.

4b. Identify the special education services to be provided (e.g., speech, special education teacher consultative services in the 08-09 school year).

4c. Identify the location of where the services will be provided (e.g., at the public school).

b.5. How, if the LEA disagrees with the views of the private school officials on the provision of services or the types of services (whether provided directly or through a contract), the LEA will provide to the private school officials a written explanation of the reasons why the LEA chose not to provide services directly or through a contract.

[34 CFR 300.134] [20 U.S.C. 1412(a)(10)(A)(iii)]

NOTE: Each school district shall give appropriate representatives of private school children with disabilities a genuine opportunity to express their views regarding each matter that is subject to the consultation requirement. The consultation shall occur before the school district makes any decision that affects the opportunities of eligible private school children to participate in services. The school district shall make the final decisions with respect to the services to be provided to eligible private school children. **When timely and meaningful consultation has occurred, the district must obtain a written affirmation signed by the representatives of participating private schools. If the representatives do not provide the affirmation within a reasonable period of time, the district must forward the documentation of the consultation process to the Office of Educational Services and Support**

Additional assurances if LEA serves students with disabilities enrolled by their parents in private schools.

The district assures:

1. It will not use IDEA-B funds or Section 619 Preschool funds for classes that are organized separately on the basis of school enrollment or religion of the students if (a) the classes are at the same site; and (b) the classes include student enrolled in private schools.

2. It will not use IDEA-B funds or Section 619 Preschool funds to finance the existing level of instruction in a private school or to otherwise benefit the private school; the district will use program funds to meet the specific needs of students enrolled in private schools rather than (a) the needs of the private school, or (b) the general needs of the students enrolled in a private school.
3. It may use IDEA-B funds or Section 619 Preschool funds to make public personnel available in other than public facilities to (a) the extent necessary to provide services designed for students enrolled in private school, and (b) if those services are not normally provided by the private school.
4. It may use IDEA-B funds or Section 619 Preschool funds to pay for the services of an employee of a private school if (a) the employee performs the services outside of his/her regular hours of duty, and (b) the employee performs the services under public supervision and control.
5. It will keep title to and exercise continuing administrative control of all property, equipment and supplies that it acquires with IDEA-B funds, or Section 619 Preschool funds for the benefit of eligible private school children.

It may place equipment and supplies in a private school for the period of time needed for the program.

It will insure that equipment or supplies placed in a private school (a) are only used for the purpose of the program, and (b) can be removed from the private school without remodeling private school facilities.

It will remove equipment or supplies from a private school if (a) the equipment and supplies are no longer needed for the purposes of the program, or (b) removal is necessary to avoid unauthorized use of the equipment or supplies for other than program purposes.

6. It will not use IDEA-B funds for repairs, minor remodeling, or the construction of private school facilities.

District Superintendent/CEO Signature

Date

IDEA Part B
Proportionate Share Calculation Form
for School Year 2008-2009

To calculate the amount of IDEA Part B funds that must be allocated for services to parentally placed IDEA-eligible children with disabilities enrolled in private elementary or secondary schools for school year 2007-2008, the district must compile these factors. The annual child count, taken on December 1, 2007, is the basis for calculating this proportionate share. When calculating the proportionate share, IDEA-eligible private school students are defined as those students who, at the time of the December 1, 2007, child count, were ages 6 through 21 (6 through 21, inclusive).

FYI - Private school proportionate share for 3 – 5 is located on page 20

STEP 1: In order to perform an accurate proportionate share calculation, complete the following:

- A. Total number of parentally placed IDEA-eligible students with disabilities *attending elementary or secondary private schools within the district's boundaries the ages of 6 through 21* on December 1, 2007. (Include students receiving services **and** students identified but not receiving services through a Services Plan.) (20) _____
- B. Total number of IDEA-eligible students with disabilities with an IEP enrolled in the district, **the ages of 6 through 21**, and reported on the December 1, 2007, child count. (300) _____
- C. Total number (A + B) of IDEA-eligible students with disabilities *enrolled in the district and private elementary and secondary schools within the district's boundaries the ages of 6 through 21* on December 1, 2007. (320) _____
- D. **Total Part B Allocation Amount for the District** (\$152,500) \$ _____
-

STEP 2: Using A, C, and D above, complete the formula below by entering the values that correspond to the subscript below each blank.

_____ divided by _____ multiplied by _____ = \$ _____
Value for D Value for C Value for A Constitutes Proportionate Share

Example:

Step 1:

\$152,500/320 = \$476.57 per pupil

Step 2:

\$476.57 X 20 = \$9,531.25 is proportionate share

SECTION FOUR, PART I – IDEA PART B BUDGET INFORMATION

SPECIAL EDUCATION FUNDS STATEMENT OF EXPENDITURES BY FUNCTION CODE AND OBJECT CODE

(Complete the statement of expenditure forms by function code and object code, for flow through funds under IDEA – Part B only, for the school year in which these funds are to be expended.)

Fiscal Year 2009 _____ District _____ Cooperative _____ Consolidated _____

Function Code	Description	Salaries (100)	Benefits (200)	Purchased Services (300)	Supplies & Materials (400)	Capital Acquisitions (500)	Other (600)	TOTAL
1220 SPECIAL PROGRAMS								
1221	Programs for Mild to Moderate Disabilities							
1222	Programs for Severe Disabilities							
1223	Day Programs							
1224	Residential Programs							
1225	Homebound Programs							
1226	Early Childhood (ages 3-5)							
	TOTAL INSTRUCTION							
2000 SUPPORT SERVICES								
2110	Attendance & Social Work Services							
2120	Guidance Services							
2130	Health Services							
2140	Psychological Services							
2150	Speech Pathology Services							
2160	Audiological Services							
2170	Student Therapy Services							
2180	Orientation & Mobility Services							
2210	Improvement of Instruction							
2730	Special Education Transportation							
	TOTAL SUPPORT SERVICES							
	TOTAL EXPENDITURES							

Use of Part B Funds

Column 1. Function Code and Objective Code: Enter the function code and object code from the statement of expenditures form for each proposed expenditure of funds. (Examples: Function code: 1221, 1222, 1223...., and Object code: 100, 200, 300...)

Column 2. Need(s) Statement/Objectives: For each function/object code category, briefly describe the primary need for each function/object expenditure. List objectives for each.

Column 3. Activities to be Completed: Describe the expected impact of the flowthrough funds on the provision of services to children with disabilities for each function/object expenditure. Each activity is to explain specifically what the funds will be spent for in each category.

Column 4. Evaluation of Effectiveness: Describe how each function/object category will be evaluated to determine if the funds expended had an impact on the provision of services to children with disabilities.

BUDGET INFORMATION

PROPOSED USE OF IDEA-B FLOWTHROUGH FUNDS

Function Code and Object Code (Ex. 1221 – 100, 200)	Need(s) Statement/Objective(s)	Activities to be Completed	Evaluation of Effectiveness

SECTION FIVE - REQUEST FOR PRESCHOOL FLOW-THROUGH FUNDS UNDER SECTION 619 OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT

SCHOOL DISTRICT; COOPERATIVE; or CONTRACTING DISTRICT

*(Other LEAs)

CERTIFICATION

I hereby certify that I am willing to commit the funds, for which my school district is eligible, to provide special education or special education and related services to preschoolers ages 3 through 5 with disabilities, as proposed in this application. I further verify these funds will supplement and not supplant State or local funds already used to support these children.

SIGNATURE	TITLE	DATE

* If Cooperative or Contracting District, please list LEAs that are a part of this application.

NOTE: If your award letter indicated that you do not receive Section 619 Flowthrough Funds, please DO NOT complete pages 19-22.

IDEA Preschool
South Dakota Proportionate Share Calculation Form
for School Year 2008-2009

For School District: _____

Date: _____

To calculate the amount of Preschool funds that must be allocated to parentally placed IDEA-eligible children with disabilities in private elementary schools for the 2007-2008 school year, the district must compile these factors. The annual child count, taken on December 1, 2007, is the basis for calculating this proportionate share. When calculating the proportionate share for preschool, include only those children who were 3-5 years of age on December 1, 2007.

Remember: The private school must meet the elementary school definition: *Elementary school* means a nonprofit institutional day or residential school that provides elementary education, as determined by state law (34 CFR 300.13). SDCL "Elementary," an educational program for any person classified below the ninth grade or for anyone under the age of 14 before the date established by SDCL [13-28-2](#) who is enrolled in an unclassified nongraded school program; and ARSD 24:43:01:01 (38)"School, elementary," a school consisting of any combination of grades from kindergarten through eighth grade.

STEP 1: In order to perform an accurate proportionate share calculation, complete the following:

- A. Total number of parentally placed IDEA-eligible students with disabilities attending private elementary schools within the district's boundaries, **ages 3- 5**, on December 1, 2007. (This should include students receiving services **and** students identified as IDEA-eligible, but not receiving services through a Services Plan.) (20) _____
- B. Total number of IDEA-eligible preschool-age students with disabilities with an IEP attending/enrolled in the district, **ages 3 through 5**, and reported on the December 1, 2007, child count. (300) _____
- C. Total number (A + B) of IDEA-eligible students with disabilities *enrolled in the district and private elementary schools within the district's boundaries* on December 1, 2007. (320) _____
- D. **Total Preschool Allocation Amount for the District** (\$152,500) \$ _____

STEP 2: Using A, C, and D above, complete the formula below by entering the values that correspond to the subscript below each blank.

_____ divided by _____ multiplied by _____ = \$ _____
Value for D Value for C Value for A Constitutes Proportionate Share

Example:

Step 1:

\$152,500/320 = \$476.57 per pupil

Step 2:

\$476.57 X 20 = \$9,531.25 is proportionate share

SECTION SEVEN – 619 (PRESCHOOL) BUDGET INFORMATION

SPECIAL EDUCATION FUNDS STATEMENT OF EXPENDITURES BY FUNCTION CODE AND OBJECT CODE

(Complete the statement of expenditure forms by function code and object code, for flow through funds under Section 619 only, for the school year in which these funds are to be expended.)

Fiscal Year 2009 _____ District _____ Cooperative _____ Consolidated

Function Code	Description	Salaries (100)	Benefits (200)	Purchased Services (300)	Supplies & Materials (400)	Capital Acquisitions (500)	Other (600)	TOTAL
1220 SPECIAL PROGRAMS								
1221	Programs for Mild to Moderate Disabilities							
1222	Programs for Severe Disabilities							
1223	Day Programs							
1224	Residential Programs							
1225	Homebound Programs							
1226	Early Childhood (ages 3-5)							
	TOTAL INSTRUCTION							
2000 SUPPORT SERVICES								
2110	Attendance & Social Work Services							
2120	Guidance Services							
2130	Health Services							
2140	Psychological Services							
2150	Speech Pathology Services							
2160	Audiological Services							
2170	Student Therapy Services							
2180	Orientation & Mobility Services							
2210	Improvement of Instruction							
2730	Special Education Transportation							
	TOTAL SUPPORT SERVICES							
	TOTAL EXPENDITURES							

PART 1 – BUDGET INFORMATION
PROPOSED USE OF SECTION 619 FLOW-THROUGH FUNDS

Function Code and Object Code (Ex. 1221 – 100, 200)	Need(s) Statement/Objective(s)	Activities to be Completed	Evaluation of Effectiveness

EARLY INTERVENING SERVICES BUDGET:

Complete Early Intervening Services section only if applicable. Amount cannot exceed 15% of total allocation.

EARLY INTERVENING SERVICES: Expenditures for early intervening services for non-IEP students should be coded to the General Fund (function level that is appropriate for the type of services that are being provided). Code the total amount of the revenue to Special Education (4175) and then do a revenue correction, NOT A TRASFER, to the General Fund for that amount needed for early intervening services.

Function Line	Early Intervening Services	Salaries (100)	Employee Benefits (200)	Purchased Services (300)	Supplies & Materials (400)	Capital Acquisitions (500)	Other (600)	TOTALS
1000	Instructional Activities							
2210	Improvement of Instruction							
2620	Evaluation Services							
2660	Data Reporting							
	Column Totals-Early Intervening Services							

BUDGET INFORMATION
PROPOSED USE OF EARLY INTERVENING SERVICES BUDGET

Function Code and Object Code (Ex. 1000 – 100, 200)	Need(s) Statement/Objective(s)	Activities to be Completed	Evaluation of Effectiveness